

REMARKS

Claims 1-23 are pending. Claims 1, 4, 7, 10, 13, 17-19 and 23 have been amended. Claims 14 -16 have been cancelled. New claims 24 - 26 have been added. Hence, claims 1-13 and 17-26 are pending. The Examiner is respectfully requested to reconsider all rejections in light of the aforementioned amendments and following remarks.

Independent claims 1, 10 and 23 have been amended. Dependent claims 4, 7, 13 and 17-19 have been amended to correctly correspond to the language of amended independent claims 1 and 10.

The Examiner is thanked for a careful review of the claims, including each of the dependent claims, and thoughtful analysis.

Response to Claim Rejections under 35 USC 103

Claims 1, 4, 7, 9, 10, 17-19, 20 and 23 were rejected under 35 U.S.C. 103(a), as being unpatentable over Rydbeck et al. (6,574,471 hereinafter Rydbeck) in view of Pierry et al. (US 2001/049275 A1 hereinafter Pierry). Claims 2, 5, 6, 8, 11-16, 21 and 22 were rejected under 35 U.S.C. 103(a), as being unpatentable over Rydbeck in view of Pierry and further in view of Kraft et al. (6,463,278 hereafter Kraft). The cited references have been considered and it is respectfully submitted that they do not prevent patenting of the claims.

Claims 1 and 10 recite methods wherein the notification characteristics of a mobile communication device can be modified based on a time indication or a notification criteria determination. Claims 20 and 23 recite graphical user interfaces for setting or viewing notification characteristics of a ringer. Notification characteristics may include ringer characteristics, such as ringer mode (e.g., on, mute or vibrate) and/or volume settings (e.g., [16]).

Rydbeck describes a method wherein an operational mode (also referred to as a meeting mode) for a communication device is activated in response to a meeting or appointment. As described in Rydbeck, the operational mode “involves various settings of portable intelligent communication device 10 being configured and associated with such operational mode so that they are implemented upon activation thereof...” (col. 5, lines 8-13). The operational mode includes several settings such as enabling/disabling an audible ring alarm, a tactile alarm and visual alarm (Fig. 5 and col. 6, lines 29-39). The operational mode can only be active or inactive at any given time.

Thus, in Rydbeck, when a user selects the alarm settings for the operational mode, these alarm settings will be used for all incoming calls during the time in which the operational mode is active. The user does not have the option to choose different alarm settings for different times unless the user changes the operational mode settings between times in which the operational mode is active. For example, a user would not be able to set audible alarm OFF and tactile alarm ON for the time between 1:00PM and 2:00PM and set the audible alarm ON and tactile alarm OFF for the time between 3:00PM and 4:00PM unless the user changed the operational mode sometime between 2:00PM and 3:00PM.

In contrast, claims 1, 10, 20 and 23 of the present application recite methods or interfaces wherein one or more notification characteristics may be modified. For example, as shown in user interfaces illustrations of Figures 5A-5E of the instant specification, a user can select a start time (8:47AM on 8/28/00) and duration (1 hour) 514 in which the ringer will be in vibrate mode 522. Similarly, the user can then choose another start time (e.g., 10:00AM on 8/28/00) and duration (e.g., 1.5 hours) in which the ringer will be audible and the alarm volume will be at level 2, for example. The mobile phone or pager will then operate according to these instructions at the predetermined times without the user having to change any settings between the times. The user may choose to schedule several different sets of notification characteristics for several times.

Hence, Rydbeck teaches a different logical configuration than recited in the present claims – one based on operational mode rather than notification characteristics. It would not be possible to modify Rydbeck by simply adding different types of notification characteristics, including any notification types described in the secondary references (Pierry and/or Kraft), to arrive at the present claims.

It is therefore submitted that claims 1, 10, 20 and 23 are patentable over Rydbeck in view of one or both of Pierry and Kraft for at least the reasons stated above.

Applicants further submit that claims 1, 10, 20 and 23 are also patentable over each of the cited references Pierry and Kraft.

Claims 1 and 10 recite methods wherein pre-event notification characteristics are saved. Claim 10 (and claim 26) further recite that the stored pre-event notification characteristics can thereafter be restored when it is determined that an event has ended. Claim 23 recites a graphical user interface with similar pre-event notification characteristics limitations. Pre-event notification characteristics are the notification characteristics at the time immediately before an event has started. See, for example, Figure 3 of flow diagram 300 of the instant specification. After it is determined at decision 304 that an event is starting, and after it is determined at decision 306 that the ringer state should be modified, then a pre-event ringer is saved 308 and event ringer is set 310. By saving the pre-event ringer at this point, the event-based notification process 300 can later restore the pre-event ringer 316 after the event has ended. Thus, when the event is over, the notification characteristics can be automatically set back to the notification characteristics at the time right before the event started.

Pierry teaches a method wherein a mobile device receives individual alert change signals from a remote server. Figure 5 of Pierry, for example, shows that an alert change protocol 154 dictates system server 152 to send alert change signal/notification 162 to user device 160 via network 158. As described at paragraph [0049] of Pierry:

Likewise, system server 152 determines that the time-based event has ended, which can be considered a separate time-based event, it can send another alert state change signal or notification to user device 160.

Thus, the alert state after an event has ended must be specified in a separate time-based event. Pierry does not teach or suggest using pre-event notification characteristics as recited in the present claims.

Using pre-event notification characteristics, as recited in claims 1, 10 and 23, has certain advantages over the methods described in Pierry. For example, using pre-event

notification characteristics, a mobile device user only has to choose the notification characteristics of a particular event. In certain embodiments, when that event is over, the notification characteristics can automatically return to the pre-event notification characteristics (i.e., the settings prior to the event start). Using the method described in Pierry, the user must manually choose an alarm state for a meeting and an alarm state for after the meeting. In Pierry, a prior alarm state is not stored, nor will the alarm state automatically return to the settings prior to a meeting.

Kraft teaches a method wherein the phone settings remain in a "default" mode between mode settings. Each mode includes a set of phone function settings. Tables 2 and 3 at column 4 of Kraft, for example, shows lists of modes and control parameters including "default", "office", "meeting", etc. As described at column 4, lines 47-51 of Pierry:

A non-editable default mode is entirely without control parameters, and the telephone will assume this mode when other modes are not positively designated by the control parameters, or when the default mode is selected manually.

Hence, the phone will automatically revert to default mode after another mode, such as a meeting mode, is ended. Kraft does not mention or suggest automatically saving or restoring pre-event notification characteristics as recited in the present claims.

Pre-event notification characteristics recited in the present claims are different than the default mode described in Kraft. For instance, the pre-event notification characteristics recited in claims 1, 10 and 23 can change depending upon what the notification characteristic settings are right before an event starts. To illustrate this point, an example with two consecutive events in accordance with the present claims will now be described: A first set of pre-event notification characteristics may be saved before a first event starts. When the first event ends, the first set of pre-event notification characteristics is restored. The user then manually changes the notification characteristics to different settings than the first set of pre-event notification characteristics. Then, when a second event starts, a second set of pre-event notification characteristics, which is the same as the settings that the user manually set. When the second event ends, the second set of pre-event notification characteristics is restored.

In contrast, Kraft explicitly states that its default mode is non-editable. Therefore, when a meeting mode has ended, the phone will automatically revert to only one type of mode with one set of phone settings – the default mode.

It is therefore submitted that claims 1, 10 and 23 are patently distinct over Pierry and Kraft.

Regarding claim 20, this claim recites a graphical user interface comprising a display screen that enables a user to set the notification characteristics for a predetermined duration. As described at paragraph [0039] and Figures 4C and 4D of the instant specification, the predetermined duration is a time period (e.g., 15, 30 or 60 minutes) that the user can choose to have the device with certain settings. In the specific examples given in the user interfaces in Figures 4C and 4D, the user chooses to turn the ringer off for 15 minutes.

The closest thing that Pierry teaches to setting notification characteristics in relation to time-based events (Pierry, paragraphs [0057], [0058] and tables 2 and 3). The only discussion in Pierry as to how the time-based events are determined is with relation to an electronic calendar (paragraph [0049]). In an electronic calendar, the user must specify a start time and an end time. This is different than a predetermined duration determined by the user.

Kraft similarly only describes a calendar-type method for setting device mode. For example, Kraft describes setting device modes according to a workday schedule (Kraft, col. 4, lines 46-57 and Table 3). Kraft does not describe or suggest setting notification characteristics for a predetermined duration.

It is therefore submitted that claim 20 is patentably distinct over Pierry and Kraft.

It is respectfully submitted for at least the reasons stated above that claims 1, 10, 20 and 23 are patentable over Rydbeck in view of Pierry alone or in view of Pierry and further in view of Kraft. It is further submitted that for at least the reasons stated above that claims 1, 10, 20 and 23 are patentable over each of Pierry and Kraft. Dependent claims 4-13, 17-20, and 24-26 each depend from one of claims 1, 10, 20 and 23 and are therefore respectively patentable over the prior art for at least the reasons stated for

claims 1, 10, 20 and 23. Withdrawal of the art rejections for all claims is respectfully requested.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



C. Douglass Thomas
Reg. No. 32,947

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300